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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92063552
Party	Plaintiff LeMans Corporation
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Submission	Motion to Reopen
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Date	08/04/2016
Attachments	response.pdf(295099 bytes)

**IN THE UNITED STATE PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEAMRK TRIAL AND APPEAL BOARD**

LeMar X. Lewis

Respondent

Opposition No. 91214578 (Parent)

Opposition No. 91226723

Cancellation No. 92063552

V.

LeMans Corporation

Petitioner

"Respondents Response" to Petitioners Response To Default Status

LeMar Xavier Lewis (Respondent) feels that (Petitioner) Lemans Corp. is attempting to direct the board regarding "The default status" of this proceeding with misleading information. While (Petitioner)LeMans Corp. is failing to recognize that any delay in responses in previous and separate oppositions proceedings should not be attributed to this current "Petition to Cancel" of Thoro stylized(76485312), and where requested in good faith. Obtaining a 'pro bono' attorney to assist in (Respondents) LeMar X. Lewis defense has proven to be an extraordinary challenge. All personal financial resources where exhausted during a previous opposition, Respondent LeMar X Lewis has relocated 3 times since this proceeding and lacks regular access to a computer. Respondent required time to raise additional funds for current and ongoing oppositions by "Petitioner" Lemans Corp.

Respondent would also like to respectfully bring to the attention to the board (Petitioner's) LeMan's Corp extensive history of unfairly challenging and "bullying"multiple other marks. The "Petitioners" claims of "Confusingly Similar" is essentially undermining the board's decision to register trademark 'Thoro' Stylized registration #76485312 to begin with, and "Petitioners" claim of 'Respondent' LeMar X. Lewis was not using the mark at the time of application is at best speculative, and without 1st hand knowledge by Petitioner. Respondent feels this matter has more to do with a competition issue then an "infringement" issue. Why

invent something if a big corporation can just take it by outspending you whether it's with merit or without? A tremendous amount of time, energy and resources by LeMar Xavier Lewis, family and associates. Respondent is fully aware of his obligations to keep up with proceedings. 'Time' is not in 'Respondents' favor regarding the financing of legal representation, but maximum effort has been given to do so. The extensive and often over burdensome request for discovery during previous oppositions are partially to blame for certain delays in respondent's ability to file in time. Although the Thoro brand is small and underfunded, we have received tremendous support from our community and a "default" judgment would reverse a substantial effort.

Respondent To What is being called 'Prejudice' by Lemans Corp/Petitioner is really fairness and leniency and *application* fully recognizes and is appreciative of the board's patient with 'Respondent/LeMar Xavier Lewis'. With or without proper legal representation 'Respondent' LeMar X. Lewis will be fully in compliance with USPTO Board's rules and regulations.

Respectfully Submitted



LeMar X. Lewis

878 Summit Greens BLVD

Clermont Florida 34711

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing "Respondents REPLY To Petitioners "RESPONSE TO DEFAULT STATUS" has been served on Petitioner August 4th 2016 by email to the following addresses: pwilliamson@vwiplaw.com agore@vwiplaw.com

TaraM. Vold J.Paul Williamson VOLD & WILLIAMSON PLLC 8251 Greensboro Drive, Suite 340

McLean, VA 22102



LeMar X. Lewis